

REMARKS/ARGUMENTS

Claims 14-30 are active in the case. Reconsideration is respectfully requested.

The present invention relates to a process for the emulsion polymerization of olefins.

Double Patenting Rejection

Claims 14-30 stand rejected based on the ground of nonstatutory obviousness-type double patenting over Claims 1-8, 11-14 of copending application Serial No.10/579,098. This ground of rejection is respectfully traversed.

The double patenting rejection is a provisional rejection in view of the pending status of both the present application and the related application. Upon the indication of patentable subject matter in the copending case, applicants will take appropriate action. It should be noted, however, if a Terminal Disclaimer is to be filed, it should be filed in the copending application since it has a filing date of November 6, 2004 which is subsequent to the 371 filing date of the present application of July 16, 2003, thereby limiting the term of the copending application to that of the present application.

Prior Art Rejection, 35 USC 102

Claims 25-27 stand rejected based on 35 USC 102 as anticipated by Bauers et al. This ground of rejection is traversed on the basis that the publication date of the reference (Web publication) is August 7, 2003, On the other hand, the international filing date of the present application is July 16, 2003, which clearly antedates the publication date of the reference. Since the Bauers et al reference is not available against the present claims, withdrawal of the rejection is respectfully requested.

Appln. No. 10/521,117
Reply to the Office Action of October 22, 2007

Prior Art Rejection, 35 USC 103

Since the Bauers et al reference is not available against the claims of the present application for the reason stated above, the obviousness ground of rejection which is based on Bauers et al as the primary reference fails. Withdrawal of the rejection is respectfully requested.

It is believed that the application is in proper condition for allowance. Early notice to this effect is earnestly solicited.

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.
Norman F. Oblon



Frederick D. Vastine, Ph.D.
Registration No. 27,013

NFO:FDV